

REMARKS

Claims 5, 7 and 9 to 16 are in the application. Claims 5 and 12 are independent. Favorable reconsideration and further examination are respectfully requested.

Claims 5 and 9 to 12 were objected to for the reasons noted on page 2 of the Office Action. As shown above, Applicant has amended the claims to define the invention more clearly. These amendments are believed to address the objections on page 2. Accordingly, withdrawal thereof is respectfully requested.

Claims 5 and 12 were rejected over Allegedly Admitted Prior Art (AAPA); and claims 6 to 8, 10 and 11 were rejected over AAPA in view of U.S. Patent No. 5,781,623 (Khakzar). As noted above, Applicant has amended the claims to define the invention more clearly. In view of these clarifications, withdrawal of the art rejections is respectfully requested.

Amended independent 5 defines a method for use in activating an intermediate interface of a telecommunication network comprised of one or more links that connect a local exchange and an access network. A link comprises a plurality of transmission channels for exchanging information. The plurality of transmission channels comprise communication channels for exchanging communication information. At least one of the communication channels is part of a first protection group. The method comprises, at activation of the intermediate interface, establishing a primary communication path on a target communication channel in the first protection group, and allocating a communication path group to the target communication channel. The communication path group is allocated based on messages exchanged via the primary communication path. The messages contain information for use in allocating communication path groups to transmission channels. The method also includes releasing

communication paths in the first protection group for use in exchanging communication information. The communication paths are released after the communication path group is successfully allocated to the target communication channel.

The applied art is not understood to disclose or to suggest the foregoing features of claim 5. In this regard, the specification makes it clear that at start-up (i.e., activation), the prior art allocates communication path groups (e.g., C path groups) to communication channels in accordance with a default profile (see, e.g., page 6, line 14 to page 9, line 23 of Applicant's specification). By contrast, in the invention of claim 5, at activation, a primary communication path is established on a target communication channel, and a communication path group is allocated to the target communication channel based on an exchange of messages via the primary communication path. Thus, unlike AAPA, the invention does not rely solely on a default profile to allocate communication path groups, but rather uses an exchange of messages.

Khakzar describes assigning a bearer channel between two terminals A and C via an exchange of messages (see, e.g., column 3, lines 7 to 17 of Khakzar). Thus, while it can be argued that Khakzar establishes a connection path between two terminals, there is no disclosure in Khakzar of allocating a communication path group to the target communication channel, much less doing so at activation of an intermediate interface of a network.

For at least the foregoing reasons, claim 5 is believed to be patentable over the art. Amended independent claim 12 is a system claim that includes features that are similar to claim 5, and is believed to be patentable for at least the same reasons noted above.

The dependent claims partake of the novelty of their parent claims and, although it is believed that each dependent claim defines a separate patentable feature, for this reason the dependent claims are not discussed here in detail.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing remarks, the entire application is now believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's attorney can be reached at the address shown below. Telephone calls regarding this application should be directed to 617-521-7896.

No fee is believed to be due for this Amendment; however, if any fees are due, please apply them to Deposit Account 06-1050, reference 12758-033001.

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Respectfully submitted,

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